BOROUGH OF RIDGEFIELD

AGENDA

Work Session, Executive Session and Regular Meeting of the Mayor and Council

Date: May 17, 2017

Open Public Meetings Statement by Mayor Suarez

Work Session: 6:00 P.M. C.T.O.: 6:04 P.M.

Adjourn: 6:31 P.M.

• Ridgefield 125th Anniversary Celebration

Mayor Suarez – Adjournment into closed Executive Session in accordance with the "Open Public Meetings Act"

Executive Session: 6:30 P.M. C.T.O.: 6:32 P.M.

Adjourn: 7:16 P.M.

Public Session: 7:30 P.M. C.T.O.: 7:32 P.M.

Adjourn: 7:42 P.M.

Pledge of Allegiance

Invocation:

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-WORK SESSION

	PRESENT	ABSENT
Mayor Suarez	X	
Castelli	X	
Acosta		X
Penabad		X
Shim	X	
Jimenez	X	
Kontolios	X	

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
Mayor Suarez	X	
Castelli	X	
Acosta		X
Penabad		X
Shim	X	
Jimenez	X	
Kontolios	X	

ROLL CALL-PUBLIC SESSION

	PRESENT	ABSENT
Mayor Suarez	X	
Castelli	X	
Acosta		X
Penabad		X
Shim	X	
Jimenez	X	
Kontolios	X	

129-2017 Mayor Suarez Proclamation –Ridgefield 125th Anniversary

As advertised, hearing will be held on the Borough of Ridgefield 2017 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund grant application for the project known as Municipal Park Improvement Program.

Entertain motion to declare the time for the public hearing to be declared open

Public Hearing

As advertised, hearing will be held on Ordinance No. 2323 entitled, "CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

Entertain motion to declare the time for the public hearing to be declared open

Public Hearing

Entertain motion to declare the time for the public hearing to be declared closed

Final Reading of Ordinance

Roll Call

CONSENT AGENDA:

130-2017	Councilman Acosta	Limo License	
131-2017	Councilman Jimenez	Professional Service Agreement-Tax Appe	eal
		Counsel	
132-2017	Councilman Kontolios	Hire Pool Personnel 2017 Season	

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli	X		X*	
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

^{*}M. Castelli Resolution 132-2017

RESOLUTIONS:

133-2017	Councilman Jimenez	Warrants
134-2017	Councilman Acosta	Police Week 2017
135-2017	Councilman Penabad	Emergency Medical Services Week 2017

COMMENTS BY MAYOR:	
Application for Raffles License:	
Ridgefield PBA Local 330 APPROVED August 1, 2017 6:00-9:00 pm	
Coin Toss Request:	
RMHS Boys Basketball APPROVED June 17, 2017 (if not needed as Class of 2018 raindate)	
COMMENTS BY COUNCILMEN:	
COMMENTS BY CITIZENS: (All speakers are limited to five minutes may	kimum per meeting)
Agenda subject to change as a result of matters not known at time of printing the Mayor and Council.	g with the consent of
Respectfully submitted,	
Linda M. Silvestri, Borough Clerk	

Meeting May 17, 2017

Presented by Mayor Suarez

BE IT RESOLVED, that the regular public meeting be adjourned, and that the Mayor and Council of the Borough of Ridgefield shall meet in a closed Executive Session following a five minute recess at the termination of this meeting. The purpose of the Executive Session shall be to discuss the following matters:

				CC	UNC	IL VOTE	
	Personnel matters in various departments of	the		YES	NO	ABSTAIN	ABSENT
	Borough.	[•	Castelli				
		,	Acosta				
	Pending and Potential Litigation		Penabad				
		;	Shim				
	Tax Court Litigation.		Jimenez				
			Kontolios				
	Potential real estate transactions in which the	ie []	Mayor Suarez				
	Borough may engage.						
	BE IT FURTHER RESOLVED, that as soo Personnel matters	n as practic	able discu	ssion	conc	erning	
	2 4 250 221142 22111142						
	Potential real estate transactions shall be disto the public.	sclosed					
	And that discussions with the Borough Atto concerning litigation shall be discloss litigation is terminated.	•	id				
into Pı	Adjournment to Closed Session. The May ablic Session, if necessary, to take action on Company of the Company of				right	to reconv	rene
Appro	ved:	Attest:					
Antho	ny R. Suarez, Mayor	Linda M. S Borough C					

Meeting May 17, 2017

Presented by Mayor Suarez



WHEREAS, in 1892 a number of citizens of Ridgefield village located in the Township of Ridgefield decided they would seek separation from the Township and its villages to form its own incorporation as a separate municipal government under the Borough Act of 1878; and

WHEREAS, a number of these citizens wished to take advantage of this state law to separate from the Township and create their own governing body and be empowered to create local ordinances and resolutions as well as establishing a separate school district from the Township; and

WHEREAS, on May 25, 1892 an election was held and 74 votes were cast and gave a 72.97% mandate for incorporation; and

WHEREAS, on May 26, 1892 the Honorable Judge James M. VanValen, President Judge of the Court of Common Pleas of the County of Bergen issued the Certificate of Incorporation and the Borough of Ridgefield was created; and

WHEREAS the year 2017 marks the 125th Anniversary of the Borough of Ridgefield;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield do hereby proclaim the year 2017 as a "Year of Celebration" of the Borough of Ridgefield 125th Anniversary and urge all residents and former residents and members of the public to join in and participate in this year of celebrations.

Approved:	COUNCIL VOTE				
				ABSTAIN	ABSENT
Anthony R. Suarez, Mayor	Castelli	X			
	Acosta				X
Attest:	Penabad				X
	Shim	X			
	Jimenez	X			
Linda M. Silvestri,	Kontolios	X			
Borough Clerk	Mayor Suarez				

Meeting May 17, 2017

Presented by Councilman Jimenez

ORDINANCE NO. 2323

BE IT ORDAINED by the Borough Council of the Mayor and Council of the Borough of Ridgefield that an Ordinance entitled,

"CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

introduced on the 3rd day of May 2017, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:	Attest:	
Anthony R. Suarez, Mayor	Linda M. Silvestri,	
	Borough Clerk	

Meeting May 3, 2017

Presented by Councilman Jimenez

ORDINANCE NO. 2323

"CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget 0.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Ridgefield in the County of Bergen finds it advisable and necessary to increase its 2017 budget by up to 3.5% over the previous year=s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$475,023.33 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Ridgefield, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2017 budget year, the final appropriations of the Borough of Ridgefield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$554,193.89, and that the 2017 municipal budget for the Borough of Ridgefield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by	be
filed with the Director of the Division of Local Government Services within 5 days of introduction	n;
and,	

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Approved:	Attest:
Anthony R. Suarez, Mayor	Linda M. Silvestri, Borough Clerk

Meeting May 17, 2017

Presented by Councilman Acosta

RESOLUTION NO. 130-2017

BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that a Limousine License be issued to:

Walker S. Nunez-Henriquez, Walker Limo LLC

for the period of May 18, 2017 through May 17, 2018.

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:	Attest:	
Anthony R. Suarez, Mayor	Linda M. Silvestri,	
	Borough Clerk	

Meeting May 17, 2017

Presented by Councilman Jimenez

RESOLUTION NO. 131-2017

WHEREAS, there is a need in the Borough of Ridgefield for a Tax Appeal Attorney; and

WHEREAS, the Borough of Ridgefield previously published a Request for Qualifications for the position of Tax Appeal Attorney; and

WHEREAS, a duly constituted evaluation committee recommended that Waters, McPherson, McNeill, 300 Lighting Way # 7, Secaucus, New Jersey be awarded the professional services contract to serve as the Tax Appeal Attorney for calendar year 2017; and

WHEREAS, Waters, McPherson, McNeill was previously appointed Tax Appeal Attorney to the Borough of Ridgefield for calendar year 2017; and

WHEREAS, the Borough now wishes to enter into a professional services agreement with Waters, McPherson, McNeill as required by law;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield as follows:

- 1. The Mayor and the Borough Clerk be and hereby are authorized and directed to execute the attached Professional Services Agreement with Waters, McPherson, McNeill as required by law.
- 2. This contract is awarded for the following reasons: There is a need for a Tax Appeal Attorney within the Borough of Ridgefield; the service to be rendered constitutes a professional service as defined by New Jersey law; the Borough did publish a request for qualifications to which the contract recipient responded; and the contract recipient was recommended by the Evaluation Committee of the Mayor and Council to be awarded the professional services agreement as Tax Appeal Attorney.
- 3. Compensation for this position shall be as set forth in Paragraph 3 of the Professional Services Agreement attached hereto.
- 4. The within contract has been awarded pursuant to a "fair and open process" pursuant to the provisions of *N.J.S.A.* 19:44A-20.4, et. seq.
 - 5. A notice of this action shall be printed in *The Record*.

6. FURTHER RESOLVED, that funding for the payment herein authorized shall be paid from the Account Number 01-2010-20-1562-187 in an amount not to exceed 24,000.00, as evidenced by the Chief Finance Officer's Certificate of Sufficient Funding attached hereto; and that a duly executed copy of this resolution will be filed in the Office of the Borough Clerk.

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:	Attest:	
Anthony R. Suarez, Mayor	Linda M. Silvestri,	
	Borough Clerk	

CONTRACT FOR PROFESSIONAL SERVICES WITH TAX APPEAL ATTORNEY

THIS IS A CONTRACT for professional services made by and between the Borough of Ridgefield, County of Bergen, State of New Jersey, hereinafter called the "BOROUGH", and Waters, McPherson, McNeill, PC, having offices at 300 Lighting Way #7, Secaucus, New Jersey 07096, hereinafter called the "TAX APPEAL ATTORNEY".

WHEREAS, the Mayor and Council of the Borough of Ridgefield previously appointed Waters, McPherson, McNeill, P.C. as Tax Appeal Attorney for a 30 day holdover in calendar year 2017; and

WHEREAS, pursuant to law, the Mayor and Council have authorized the Mayor and Borough Clerk to enter into an agreement with the TAX APPEAL ATTORNEY for professional services as Tax Appeal Attorney without competitive bid; and

WHEREAS, it is desirable and appropriate that the parties enter into a formal contract to memorialize the rights, duties and obligations of the parties;

NOW, THEREFORE, IT IS AGREED by and between the parties, in consideration for the mutual promises and covenants contained herein, as follows:

- 1. ENGAGEMENT: The BOROUGH hereby engages the TAX APPEAL ATTORNEY to serve as Borough TAX APPEAL ATTORNEY for calendar year 2017, or until her/his successor qualifies. The TAX APPEAL ATTORNEY hereby accepts such engagement and agrees to provide the services required under this agreement.
- 2. SCOPE OF SERVICES: The TAX APPEAL ATTORNEY shall perform all appropriate legal services in connection with tax appeals that are filed or are pending in connection with appeals of assessments on properties within the BOROUGH including matters before the Bergen County Board of Taxation and matters filed in the Tax Court of New Jersey.
- 3. PAYMENT FOR SERVICES: The TAX APPEAL ATTORNEY shall be paid at an hourly rate of \$90.00 for all legal work in the field of labor relations as assigned to it by the Mayor and Council. The TAX APPEAL ATTORNEY shall submit periodic vouchers with detailed specifications of services performed.
- 4. ENGAGING OTHERS: Nothing in this agreement shall prohibit the BOROUGH from engaging other tax appeal attorneys for specific matters if in the opinion of the Mayor and Council such is necessary.
- 5. FAIR AND OPEN PROCESS: This contract is awarded pursuant to a fair and open process pursuant to the provisions of N.J.S.A. 19:44A-20.5, et. seq.

6. INCORPORATION OF CERTAIN PROVISIONS:

- A. The parties to this agreement agree to incorporate into same the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Department of the Treasury, pursuant to P.L. 1975, c.127, as amended and supplemented from time to time, and the TAX APPEAL ATTORNEY agrees to fully comply with the terms, provisions and obligations of said regulation, provided that said subsection shall be applied subject to the terms of subsection 3.4(d) of said regulations.
- B. The parties to this agreement agree to incorporate into same the mandatory language of section 5.3 of the Regulations promulgated by the Department of the Treasury pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and the TAX APPEAL ATTORNEY agrees to comply fully with the terms, provisions and obligations of said regulation.
- 7. RIGHT TO RESCIND: The award of this contract is subject to the BOROUGH'S right to rescind same within thirty (30) days of its issuance should the Mayor and Council determine that the TAX APPEAL ATTORNEY'S services are not performed satisfactorily in accordance with this contract.
- 8. COUNTERPARTS: The parties agree that this contract may be signed in separate counterparts, the effect of which will be the same as if one original were signed by both parties.

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IN WITNESS WHEREOF, the parties have set their hands and seals on the day and year affixed next to their respective signatures.

DATE.

DATE.		BOROUGH OF RIDGEFIELD
ATTEST:		Anthony R. Suarez, Mayor
Linda M. Silvestri, Borough Clerk		WATERS, MCPHERSON, MCNEILL, P.C
		By:
WITNESS:	DATE:	

Meeting May 17, 2017

Presented by Councilman Kontolios

RESOLUTION NO. 132-2017

BE IT RESOLVED by the Mayor and Council that the following individuals be hired as Swim Pool Personnel for the 2017 pool season: $\frac{1}{2}$

			Kostenko	Nicholas	9.25
Amato	Ariannah	9.25	Kowatch	Linda	9.75
Aruri	Luca	10.25	Kulhan	Paul	9.5
Baggio	Vanessa	9	Kulhan	Victoria	10
Baginski	Matthew	10	Lee	Eugene	9
Barguin	Carlos	9.5	Lehman	Gabrielle	9.25
Baric	Amanda	10	Lema	Jon	10
Bohan	Brendan	9	Lemos	Thayana	9.25
Boncic	Erik	9	LoBello	Christopher	9.5
Borek	Adrew	9.5	Lombardo	Frank	9
Cahill	Ryan	9	Loof	Taylor	9
Cancian	Anthony	9	Magriples	Demetri	9.25
Cassiano	TJ	9.25	Mahmutbegovic	Haris	9
Catherina	Eamon	10.25	Martucci	Christopher	10
Cha	Jiwon	10	Mercado	Ariana	9.25
Cha	Jamie	9.25	Minervini	Alexandra	9.25
Concha	Jonice	10	Moreiro	Ashley	9.5
Correa	Louis	9.75	Ng	Kaitlyn	9.25
Crudello	Marietta	9	O'Conner	Tyler	10.25
DiBatista	Justus	9.25	O'Conner	Erin	9.75
Durkin	Jude	9.25	Ortiz	Lenaya	9
Elenio	Emily	10.25	Parker	Kiara	9.25
Elenio	frank	10.25	Payerle	Brian	9.25
El-zibawi	Rami	9	Payerle	Brian	9.25
Ferdinand	Alyssa	9.25	Pulci	Alyssa	10
Ferreira	Kassidy	9	Rada	Rafael	9
Gil	Alesia	9.75	Ragone	Michael	10
Gohde	Devon	10.25	Ro	Ashley	9.25
Haase	John	9	Robbins	Kameron	9.75
Henao	Bryan	9	Rodriguez	Julian	9
Jeremic	Lola	9	Rojas	Destiny	10

Sardelli	Krystena	9.25	Wang	Annie	9.5
Silva	Myllena	9.25	Wang	Michele	9.5
Van Buskirk	Ryan	9.75	Wiss	Rita	13.5
Van Buskirk	John	13	Castelli	Matthew	10
Vermeal	Briana	13	Wunder	Sharon	\$14,495
Vermeal	Kyle	13	Catherina	Ed	\$8,100
Vincentz	Warren Douglas	10.5	Muccia	Linda	\$7,000

	YES	NO	ABSTAIN	ABSENT
Castelli	X		X*	
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				
*M. Castell	i	•	•	

Approved:	Attest:	
Anthony R. Suarez, Mayor	Linda M. Silvestri, Borough Clerk	

dgefield, County of aintaining financial
of the Local Finance t there are adequate y said Borough, and ependitures shall be
)

Meeting May 17, 2017

Presented by Councilman Jimenez

RESOLUTION NO. 133-2017

BE IT RESOLVED, that warrants totaling be drawn on the following accounts:	\$992,128.18
CURRENT	\$936,726.22
TRUST	\$27,371.20
POOL	\$13,761.00
SWIM POOL CAPITAL	\$8,336.55
UNEMPLOYMENT FUND	\$5,933.21
TOTAL	\$992,128.18

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:	Attest:	
	T: 1 M 0:1	
Russell Castelli, Council President	Linda M. Silvestri, Borough Clerk	

Meeting May 17, 2017

Presented by Councilman Acosta

RESOLUTION NO. 134-2017

WHEREAS, the Mayor and Council is committed to the support of our Borough Police and Public Safety; and

WHEREAS, the Mayor and Council strongly advocates respect for all law enforcement officers both within and outside our Borough borders; and

WHEREAS, in 1962, President John F. Kennedy signed a proclamation which designated May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week; and

WHEREAS, a joint resolution of Congress established that National Police week pay special recognition to those law enforcement officers who have lost their lives in the line of duty for the safety and protection of others; and

WHEREAS, to date in 2017, there have been 46 office fatalities and the United States has approximately 900,000 law enforcement officers; and

WHEREAS, over 2,200 current and retired officers from 9 chapters will ride form North Jersey and the World Trade Center to the National Law Enforcement Memorial in Washington DC which currently honors the names of 20,267 fallen officers. Known as the Police Unity Tour, this bicycle ride takes 4 days to complete and in 2016 raised over 2.5 million dollars; and

WHEREAS, there is a need to show law enforcement officers that our citizens recognize the difficult and sometimes impossible career they have chosen, in public service to us all; and

WHEREAS, the officers of the Ridgefield Police Department share in the brother and sisterhood of blue and we respect and appreciate all they do not only for our community, but for their larger public safety family; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that we acknowledge and honor our Police Department officers, past and present; and

BE IT FURTHER RESOLVED, that the Borough of Ridgefield, by this resolution, intends to raise awareness and remember the officers who have passed in the line of duty; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Ridgefield extends its appreciation to all Police officers around the Country who will be taking part in this event.

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Approved:	Attest:	
Anthony R. Suarez, Mayor	Linda M. Silvestri, Borough Clerk	

Meeting May 17, 2017

Presented by Councilman Penabad

RESOLUTION NO. 135-2017

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ridgefield in recognition of this event do hereby proclaim the week of May 21 - 27, 2017, as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, *EMS Strong: Always in Service*, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

	YES	NO	ABSTAIN	ABSENT
Castelli	X			
Acosta				X
Penabad				X
Shim	X			
Jimenez	X			
Kontolios	X			
Mayor Suarez				

Attest:	
Linda M. Silvestri,	